

**CITY COUNCIL MEETING
OCTOBER 1, 2002**

Date & Time	On the 1 st day of October, A.D., 2002, the City Council of the City of Fort Worth, Texas, met in regular session at 7:11 p.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:
Attendance	Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Jim Lane, Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, and Jeff Wentworth; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. Council Member Wendy Davis was absent. With more than a quorum present, the following business was transacted:
Invocation	The invocation was given by Reverend Gilbert Marez, Iglesia Christiana Camino de Paz Church.
Pledge	The Pledge of Allegiance was recited.
Minutes	On motion of Council Member Haskin, seconded by Council Member Lane, the minutes of the regular meeting of September 24, 2002, were approved unanimously.
Special Presentations	<p>Mr. Barclay Berdan, President, Fort Worth Harris Methodist Hospital made a presentation on behalf of the American Heart Association and stated that the Heart Walk would take place Saturday, October 5, 2002.</p> <p>Council Member Haskin presented a Proclamation for Hispanic Women's Network of Texas Days.</p> <p>Mayor Pro tempore McCloud presented a Proclamation for UNICEF Month to the Rotary Club of Fort Worth.</p> <p>Council Member Picht presented a Proclamation for Physical Therapy Month.</p> <p>Council Member Moss presented a Proclamation for Historic Handley Festival Day.</p>
Announcements	Council Member Lane expressed appreciation to Mae Johnson, Sister Cities Executive Director, and her staff for arranging a successful trip to Budapest, Hungary. He also congratulated Anna Williams Tinsley, her husband, and father-in-law Jack Tinsley on the upcoming birth of Zachary Williams Tinsley, October 3, 2002.
Withdrawn from Consent Agenda	City Manager Jackson requested that Mayor and Council Communication No. L-13407 be withdrawn from the consent agenda.

Council Member Silcox requested that Mayor and Council Communication No. C-19274 be withdrawn from the consent agenda.

**Continued/
Withdrawn By
Staff**

City Manager Jackson requested that Mayor and Council Communication No. P-9690 be continued one week.

Consent Agenda

On motion of Council Member Silcox, seconded by Council Member Lane, the consent agenda, as amended, was adopted unanimously.

**OCS-1308
Claims**

There was presented Mayor and Council Communication No. OCS-1308 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance/Risk Management Department. It was the consensus of the City Council that the recommendation be adopted.

Public Hearing

It appeared that the City Council, at its meeting of September 24, 2002, continued the public hearing for a street name change and adoption of an ordinance changing the name of Galaxy Way to Aviator Way, north of Flight Line Road, Fort Worth, Texas. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. John Garfield, representing the Development Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. G-13750, as follows:

**G-13750
Ord. #15264
Street Name
Change of
Galaxy Way to
Aviator Way
SN-02-002**

There was presented Mayor and Council Communication No. G-13750 from the City Manager recommending that the City Council conduct a public hearing regarding the proposed street name change; and adopt Ordinance No. 15264 changing the name of "Galaxy Way" to "Aviator Way", north of Flight Line Road, Fort Worth, Texas, to its terminus at a cul-de-sac.

There being no one else present desiring to be heard in connection with a street name change and adoption of an ordinance changing the name of Galaxy Way to Aviator Way, north of Flight Line Road, Council Member Picht made a motion, seconded by Council Member Silcox, that the public hearing be closed and that Mayor and Council No. G-13750 be adopted. The motion carried unanimously.

**G-13751
Res. #2872
Nuisance
Abatement
Lawsuit Against
Willie & Joyce
Cook - 3004
Loving Avenue**

There was presented Mayor and Council Communication No. G-13751 from the City Manager recommending that the City Council:

- 1. Authorize the City Attorney to file a nuisance abatement lawsuit pursuant to Chapter 125 of the Texas Practice and Remedies Code against Willie and Joyce Cook, the owners of 3004 Loving Avenue. 3004 Loving Avenue is an alleged common nuisance under the law since it is habitually used for criminal activity as defined in Chapter 125 of the Texas Civil Practice and Remedies Code. This is evidenced by the criminal violations and the final convictions that have occurred on the subject property; and**
- 2. Adopt Resolution No. 2872 authorizing the City Attorney to file a lawsuit to abate the common or public nuisance at 3004 Loving Avenue.**

It was the consensus of the City Council that the recommendation be adopted.

**G-13752
Ord. #15265
Payment from
Ken Moore
Enterprises, Inc.**

There was presented Mayor and Council Communication No. G-13752 from the City Manager recommending that the City Council adopt Appropriation Ordinance No. 15265 increasing estimated receipts and appropriations in the Special Trust Fund in the amount of \$17,124.48 from available funds for the purpose of funding concession improvements, equipment purchases, and promotion of the Will Rogers Memorial Center; and authorize the use of these funds, in accordance with the City's purchasing and expenditure guidelines. It was the consensus of the City Council that the recommendation be adopted.

**G-13753
Res. #2873
Ord. #15266
Ord. #15267
Airfield Upgrade
Project at FW
Spinks Airport**

There was presented Mayor and Council Communication No. G-13753 from the City Manager recommending that the City Council:

- 1. Adopt Resolution No. 2873 certifying that \$24,100.00 in City funds will be available as a ten percent match for a grant from the Texas Department of Transportation (TxDOT) Aviation Division in the amount of \$241,000.00 for the design and engineering for airfield infrastructure upgrades at Fort Worth Spinks Airport; and**
- 2. Authorize the City Manager to accept, if offered, a grant for the design and engineering for the airfield improvements from TxDOT; and**

- 3. Authorize the transfer of \$24,100.00 from escrow funds to revenue in the Municipal Airports Fund; and**
- 4. Adopt Appropriation Ordinance No. 15266 increasing estimated receipts and appropriations in the Municipal Airports Fund in the amount of \$24,100.00 from available escrow funds for the purpose of funding the City's match for a grant from the Texas Department of Transportation Aviation Division for a planned airfield upgrade project at Fort Worth Spinks Airport; and**
- 5. Authorize the transfer of \$24,100.00 from the Municipal Airports Fund to the Grants Fund for the City's match; and**
- 6. Adopt Appropriation Ordinance No. 15267 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$265,100.00 subject to the receipt of the grant, for the purpose of funding design and engineering for airfield infrastructure upgrades at Fort Worth Spinks Airport.**

It was the consensus of the City Council that the recommendation be adopted.

**G-13754
Ord. #15268
Monetary Gift
from Fuller
Foundation, Inc.
for Annual
Maintenance
Costs for Fuller
Garden**

There was presented Mayor and Council Communication No. G-13754 from the City Manager recommending that the City Council accept a monetary gift from the Fuller Foundation, Inc. in the amount of \$83,576.00 for the purpose of maintaining the Fuller Garden for a period of one year; and adopt Appropriation Ordinance No. 15268 increasing estimated receipts and appropriations in the Special Trust Fund in the amount of \$83,576.00 from available funds for the purpose of funding the maintenance of the Fuller Garden for a period of one year. Council Member Wentworth made a motion, seconded by Council Member Silcox, that the recommendation be adopted, with appreciation. The motion carried unanimously.

**P-9680
Federally
Mandated
Emission
Equipment**

There was presented Mayor and Council Communication No. P-9680 from the City Manager recommending that the City Council authorize amending M&C P-9648 dated August 20, 2002, to add additional funds needed for federally mandated emission equipment on specialized trucks from Metro Ford for the City of Fort Worth in an amount not to exceed \$25,458.00, with payment due within 30 days from the date of the invoice. It was the consensus of the City Council that the recommendation be adopted.

**P-9681
Bulk Chlorine**

There was presented Mayor and Council Communication No. P-9681 from the City Manager recommending that the City Council:

1. Authorize a purchase agreement with DPC Industries Company to provide bulk chlorine for the Water Department based on the low bid of unit prices with payments due 30 days from the date of the invoice with freight cost included in the bid; and
2. Confirm the purchase of bulk chlorine from the following vendors during the interim period; and
 - Altivia \$131,842.08
 - DPC Industries Company \$ 24,064.00
3. Authorize this agreement to begin October 1, 2002, and expire September 30, 2003, with options to renew for two successive one-year periods.

It was the consensus of the City Council that the recommendation be adopted.

**P-9682
Meter Reading
Services**

There was presented Mayor and Council Communication No. P-9682 from the City Manager recommending that the City Council authorize a purchase agreement with Bermex, Inc. to provide meter reading services for the Water Department based on the low bid of unit prices meeting specifications of \$0.43 per meter read, with payments due 30 days from the date of the invoice; and authorize this agreement to begin October 1, 2002, and expire September 30, 2003, with options to renew for three successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9683
Laboratory
Analytical
Services**

There was presented Mayor and Council Communication No. P-9683 from the City Manager recommending that the City Council:

1. Authorize purchase agreements with multiple vendors for laboratory analytical services for the Water Department, based on the low bid by groups as follows, with payments due 30 days from the date of the invoice; and

ANA*LAB	Water Analyte Groups
Talem, Inc.	Wastewater Analyte Groups
Star Analytical, Inc.	Solids Analyte Groups

- 2. Authorize these agreements to begin October 15, 2002, and expire October 14, 2003, with options to renew for two additional one-year periods.**

It was the consensus of the City Council that the recommendation be adopted.

**P-9684
Ord. #15269
Fire Rescue
Truck**

There was presented Mayor and Council Communication No. P-9684 from the City Manager recommending that the City Council authorize the purchase of a fire rescue truck under an interlocal purchasing agreement from SVI Fire and Rescue Trucks for the Fire Department at a cost not to exceed \$253,234.00 with payment due within 30 days of the date of the invoice with freight included in the unit price; and adopt Appropriation Ordinance No. 15269 increasing estimated receipts and appropriations in the New Equipment Purchases Fund in the amount of \$253,234.00 to be obtained through the City's Equipment Note Program for the purpose of funding a fire rescue truck from SVI Fire and Rescue Trucks (an interlocal purchaser) for the Fire Department. It was the consensus of the City Council that the recommendation be adopted.

**P-9685
OEM Dresser
Rand Parts &
Technical
Assistance**

There was presented Mayor and Council Communication No. P-9685 from the City Manager recommending that the City Council authorize a sole source purchase agreement with Dresser Rand Company for OEM (original equipment manufacturer) Dresser Rand parts and technical assistance for the Water Department based on the list prices with payment due within 30 days of the date the invoice is received; and authorize this agreement to begin October 1, 2002, and expire September 30, 2003, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9686
Robicon
Equipment,
Parts & Repair
Service**

There was presented Mayor and Council Communication No. P-9686 from the City Manager recommending that the City Council

- 1. Authorize a sole source purchase agreement with Electrotech Systems, Inc. for Robicon equipment, parts and repair service for the Water Department with payments due 10 days from the date of the invoice, with freight prepaid and added to the invoice; and**

<u>Manufacturer's Price List</u>	<u>Rate</u>
Regular Rate	\$ 95.00 hour
Overtime Rate	\$142.50 hour
Double Time Rate	\$190.00 hour

2. Authorize this agreement to begin October 1, 2002, and expire September 30, 2003, with options to renew for two successive one-year periods.

It was the consensus of the City Council that the recommendation be adopted.

**P-9687
On-Line
Subscription
Service to
Westlaw**

There was presented Mayor and Council Communication No. P-9687 from the City Manager recommending that the City Council authorize a sole source purchase agreement with West Group for an on-line subscription service to Westlaw for the Law Department with payment due 30 days after receipt of the invoice; and authorize this agreement to begin October 1, 2002, and expire September 30, 2003, with options to renew for four successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.

**P-9688
Turbidity Meter
Systems**

There was presented Mayor and Council Communication No. P-9688 from the City Manager recommending that the City Council authorize the sole source purchase from Hatfield and Company, Inc. of 13 Turbidity Meter Systems with accessories for the Water Department's Rolling Hills Water Treatment Plant in an amount not to exceed \$28,385.00, with prepaid shipping costs added to the invoice and payment due 30 days from the date of the invoice. It was the consensus of the City Council that the recommendation be adopted.

**P-9689
Consulting/
Engineering
Services**

There was presented Mayor and Council Communication No. P-9689 from the City Manager recommending that the City Council authorize the City Manager to enter into a contract with Framatome ANP DE&S for consulting/engineering services; primarily, the review of fire protection plans for the Fire Department, for an annual cost not to exceed \$165,242.00. Council Member Lane made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted. The motion carried unanimously.

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| P-9690
Continued for
One Week | It was the consensus of the City Council that Mayor and Council Communication No. P-9690, Professional Services Contract with Avizion Technologies Group, Inc. to Provide Interim Mainframe Operating Environment Support for the Information Technology Solutions Department, be continued for one week. |
| L-13407
Ground Lease
with Option to
Purchase
Unimproved
Land | <p>There was presented Mayor and Council Communication No. L-13407 from the City Manager recommending that the City Council authorize the City Manager to execute a ground lease with an option to purchase a portion of unimproved land at 1500 North Main Street with Fort Worth Mercado, Inc.; and waive associated sewer and water fees for the construction of a 50,000 square foot mixed-use development on the unimproved land.</p> <p>City Manager Jackson stated that Recommendation No. 2 of the M&C needed to be amended to include "...development fees and..." after "associated" and that the last paragraph of the Discussion section include "...development fees and..." after "waive."</p> <p>Council Member Lane made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. L-13407 be adopted, as amended. The motion carried unanimously.</p> |
| L-13408
Office Space | There was presented Mayor and Council Communication No. L-13408 from the City Manager recommending that the City Council authorize the City Manager to execute a lease agreement with JaGee Real Properties, L.P. for approximately 2,500 square feet of office space located at 4573 Village Creek, Block 4R, Village Creek Industrial Park Addition for the Police Department, at a cost of \$6,000.00 per year; and authorize the agreement to begin on the date the City opens for business in the lease space, and expire on the last day of the 12th full calendar month, with three options to renew for one-year periods. It was the consensus of the City Council that the recommendation be adopted. |
| L-13409
Lease Space at
Various Parks &
Community
Services
Department
Facilities | There was presented Mayor and Council Communication No. L-13409 from the City Manager recommending that the City Council authorize the City Manager to execute a lease agreement with Child Care Associates for the use of space at various Parks and Community Services Department facilities; and authorize this agreement to begin October 1, 2002, and expire September 30, 2012, at a rental rate of \$31,898.72 in year one, to be adjusted annually in accordance with the Consumer Price Index, with no options to renew. It was the consensus of the City Council that the recommendation be adopted. |

Public Hearing It appeared that the City Council set today as the date for a public hearing for the conversion of 0.221 acres of Westcreek Park for use as an athletic facility by the Fort Worth Independent School District's South Hills High School. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Richard Zavala, representing the Parks and Community Services Department, appeared before Council, gave a staff report, and called attention to Mayor and Council Communication No. L-13410, as follows:

L-13410 There was presented Mayor and Council Communication No. L-13410 from the City Manager recommending that the City Council:
Conversion of
0.221 Acres of

Westcreek Park
for Use as
Athletic Facility
by FWISD's
South Hills High
School

1. Approve the conversion of 0.221 acres of Westcreek Park for use as additional recreational acreage for the Fort Worth Independent School District's (FWISD) South Hills High School; and
2. Find that there is no feasible or prudent alternative to the conversion, and that proposed school use as an athletic facility includes all reasonable planning to minimize harm to the park resulting from the conversion; and
3. Authorize the City Manager to enter into a 20-year lease agreement with the FWISD for use of the 0.221 acre portion of the Westcreek Park property.

Council Member Moss informed Council that he had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Council Member Picht made a motion, seconded by Council Member Silcox, that the recommendation be adopted. The motion carried by the following vote:

AYES: Mayor Barr; Mayor Pro tempore McCloud;
Council Members Lane, Silcox, Haskin,
Picht, and Wentworth

NOES: None

ABSENT: Council Member Davis

NOT VOTING: Council Member Moss

Council Member Wentworth preceded the following annexation cases by recommending PZ-2417 through PZ-2420 be heard simultaneously. He expressed concern relative to the City's ability to provide water to those areas that already supplied water by other providers through a Certificate of Convenience and Necessity, and the need to annex built out areas where no further development was possible. He further stated that additional staff review was required to address these concerns.

**PZ-2417
Continued Until
November 5,
2002**

There was presented Mayor and Council Communication No. PZ-2417 from the City Manager recommending that the City Council adopt an ordinance declaring certain findings; providing for the limited purpose annexation of a certain 214.75 acres (.335 square miles) of land, more or less, situated in the J. Burleson Survey, Abstract No. 78, and the W. Houston Survey, Abstract No. 719 (Linkwood Estates), situated about 11 ½ miles south, 77 degrees west from the courthouse in Tarrant County, Texas, being on the waters of the south fork of Mary's Creek (Case No. AX-02-0005) which territory lies contiguous to the present corporate boundary limits of Fort Worth, Texas; providing that this ordinance shall amend every prior ordinance in conflict herewith, and adopting a regulatory plan for the area. Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that PZ-2417 be continued until November 5, 2002.

The following citizens appeared before Council in opposition of involuntary annexation:

**Jack Jefferson,
Kathleen Wood,
Charley Rains,
Robert Hobbs,
Darlia Hobbs,
Samuel Taylor,
Phillip Hallman,
Frances Wohler,
Stephanie Pivec,
Randy McCarty,
Gary McClellan,
Warren
VanderBurg,
Deborah
Jackson,
Greg Harrison,
Tammy Maas,**

**Mr. Jack Jefferson
Ms. Kathleen Wood
Mr. Charley Rains
Mr. Robert A. Hobbs, Jr.
Ms. Darlia Hobbs
Mr. Samuel Taylor
Mr. Phillip Hallman
Ms. Frances Wohler
Ms. Stephanie Pivec
Mr. Randy McCarty
Mr. Gary McClellan
Mr. Warren VanderBurg
Ms. Deborah Jackson
Mr. Greg Harrison
Ms. Tammy Maas**

**3924 Linkcrest Dr., Aledo, TX
9000 Block of Jacksboro Highway
8150 Eagle Mountain Circle
8113 Anchorage Place
8113 Anchorage Place
4109 Linklea Dr., Aledo, TX
589 Diamond Bar Tr., Aledo, TX
3803 Linkmeadow, Aledo, TX
1608 Impala Dr., Crowley, TX
360 Horse Shoe Trail W., Aledo, TX
7812 Bayshore Ct.
8861 Random Rd.
3812 Harbour Creek Ct.
1836 Fairway Bend Dr., Haslet, TX
8109 Anchorage Pl. Apt #1D**

William Guy,
Meto Miteff,
Vincent Sprinkle

Mr. William Guy
Mr. Meto Miteff
Mr. Vincent Sprinkle

10232 Creek Hollow Lane,
Blue Mound, TX
1515 Hillcrest St.
9117 S. Water Tower

The motion carried unanimously.

PZ-2418
Continued Until
November 5,
2002

There was presented Mayor and Council Communication No. PZ-2418 from the City Manager recommending that the City Council adopt an ordinance declaring certain findings; providing for the limited purpose annexation of a certain 198.25 acres (.31 square miles) of land, more or less, in the S.H. Pettit Survey, Abstract No. 1234, situated about 11 ½ miles south, 77 degrees west from the courthouse in Tarrant County, Texas, being all of El Rancho Estates, and the right-of-ways as shown on the plat thereof, and being on the waters of the south fork of Mary's Creek (Case No. AX-02-0006) which territory lies contiguous to the present corporate boundary limits of Fort Worth, Texas; providing that this ordinance shall amend every prior ordinance in conflict herewith, and adopting a regulatory plan for the area. Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that Mayor and Council Communication No. PZ-2418 be continued until November 5, 2002. The motion carried unanimously.

PZ-2419
Ord. #15270
Full Purpose
Annexation of
33935 Acres in
J. Burleson
Survey, C.K.
Gleason Survey,
J. Johnson
Survey, B.P.
Richardson
Survey, & W.W.
Garrett Survey
(Waste
Management
Landfill)
AX-02-0007

There was presented Mayor and Council Communication No. PZ-2419 from the City Manager recommending that the City Council adopt Ordinance No. 15270 declaring certain findings; providing for the extension of certain boundary limits of the City of Fort Worth; providing for the annexation of a certain 339.5 acres (.5304 square miles) of land, more or less, out of the J. Burleson Survey, Abstract No. 78, the C.K. Gleason Survey, Abstract no. 559, the J. Johnson Survey, Abstract No. 871, the B.P. Richardson Survey, Abstract No. 1374, and the W.W. Garrett Survey, Abstract no. 1951 (Waste Management Landfill), situated about 11 ½ miles south, 77 degrees west from the courthouse in Tarrant County, Texas, being all of the following tracts of land out of said surveys, as conveyed to the State of Texas, by deed to West Side Landfill, Inc., Gulf Refining Company, and to Waste Management of Texas, Inc., (Case No. AX-02-0007), which said territory lies adjacent to and adjoins the present corporate boundary limits of Fort Worth, Texas; providing that the territory annexed shall bear its pro rata part of taxes; providing that the inhabitants thereof shall have all the privileges of all the citizens of Fort Worth, Texas; providing that

this ordinance shall amend every prior ordinance in conflict herewith. Council Member Silcox made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.

**PZ-2420
Continued Until
October 29, 2002**

There was presented Mayor and Council Communication No. PZ-2420 from the City Manager recommending that the City Council approve a resolution amending the City's annexation plan to identify approximately 1,920 acres located north and east of Boat Club Road and south of Bonds Ranch, and approximately 13,065 acres located west of IH35 and north and south of U.S. Highway 287, Tarrant County, Texas, as areas that may be annexed after the third anniversary of the plan amendment. Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be continued until October 29, 2002. The motion carried unanimously.

**C-19266
Tarrant County**

There was presented Mayor and Council Communication No. C-19266 from the City Manager recommending that the City Council authorize the City Manager to execute an Interlocal Agreement with Tarrant County to provide access to the City's Geographical Information System (GIS) and related services at a cost to Tarrant County in the amount of \$45,000.00 per year; and authorize the agreement to begin October 1, 2002, with automatic annual renewals each October 1 thereafter until the agreement is terminated. It was the consensus of the City Council that the recommendation be adopted.

**C-19267
Data
Applications
Corporation**

There was presented Mayor and Council Communication No. C-19267 from the City Manager recommending that the City Council authorize the City Manager to execute a contract for computer support services with Data Applications Corporation using State of Texas catalogue purchasing procedures for the Information Technology Solutions Department; and authorize this agreement to begin October 1, 2002, and expire September 30, 2004, with an option to renew for one two-year period. It was the consensus of the City Council that the recommendation be adopted.

**C-19268
United Riverside
Rebuilding
Corporation**

There was presented Mayor and Council Communication No. C-19268 from the City Manager recommending that the City Council:

1. Approve the reallocation of \$59,500.00 in Home Investment Partnerships Program (HOME) funds to United Riverside Rebuilding Corporation (URRC) for its proposed senior housing project, as follows:

- a) \$23,000.00 in 2002 HOME Community Housing Development Organization (CHDO) program funds for predevelopment costs for the senior housing project; and
 - b) \$36,500.00 in 2000 and 2001 HOME Affordable Housing Development Fund (AHDF) funds for soft costs for the URRC senior housing project; and
2. Authorize the City Manager to execute contracts with URRC, not to exceed \$59,500.00; and
 3. Authorize contract performance reviews for a period up to 12 months, to begin on the date of contract execution; and
 4. Authorize the City Manager to amend the contracts, if necessary, to achieve project goals, provided that the amendment is within the scope of the project and in compliance with applicable laws and regulations.

It was the consensus of the City Council that the recommendation be adopted.

C-19269
Ord. #15271
TDHCA

There was presented Mayor and Council Communication No. C-19269 from the City Manager recommending that the City Council:

1. Authorize the City Manager to enter into a contract with the Texas Department of Housing and Community Affairs (TDHCA) to provide weatherization measures on a minimum of 156 homes in Tarrant County. These homes must be occupied by low-income residents for the contract period beginning September 1, 2002, through August 31, 2003; and
2. Authorize the City Manager to accept \$692,287.00 from the System Benefit Fund grant; and
3. Adopt Appropriation Ordinance No. 15271 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$692,287.00 subject to receipt of the System Benefit Fund grant, for the purpose of funding weatherization measures in Tarrant County; and
4. Apply indirect costs at a rate of 12.02 percent.

It was the consensus of the City Council that the recommendation be adopted.

**C-19270
Ord. #15172
GSBS
Batenhorst, Inc.**

There was presented Mayor and Council Communication No. C-19270 from the City Manager recommending that the City Council:

- 1. Find that material changes in conditions have rendered use of the 1986 Capital Improvement Program (CIP) funds designated for the development of the Botanic Garden Demonstration Garden as imprudent; and**
- 2. Authorize reprogramming of the remaining funds from the 1986 CIP – Botanic Garden Demonstration Gardens, in the amount of \$280,049.00, to the 1998 CIP – Botanic Garden Greenhouse Development project; and**
- 3. Authorize the use of \$250,000.00 from the Botanic Garden Parking Lot Lease Revenue Account for use in the Botanic Garden Greenhouse Development project; and**
- 4. Adopt Appropriation Ordinance No. 15272 increasing estimated receipts and appropriations in the Special Trust Fund in the amount of \$250,000.00 from available funds for the purpose of funding the Botanic Garden Greenhouse Development project; and**
- 5. Authorize the City Manager to execute a design contract with BSGS Batenhorst, Inc. in the amount of \$74,750.00 for site master planning of the greenhouse facility area, and design and preparation of construction documents for Phase I development.**

It was the consensus of the City Council that the recommendation be adopted.

**C-19271
Jackson
Construction,
Ltd.**

There was presented Mayor and Council Communication No. C-19271 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Jackson Construction, Ltd. in the amount of \$347,071.60 for offsite sanitary sewer extension to serve Fort Worth Spinks Airport. It was the consensus of the City Council that the recommendation be adopted.

**C-19272
Omega
Contracting, Inc.**

There was presented Mayor and Council Communication No. C-19272 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with Omega Contracting, Inc. in the amount of \$992,127.91 for water and

sanitary sewer extension for the Meadowbrook area (Annexation Case No. A-00-21). It was the consensus of the City Council that the recommendation be adopted.

**C-19273
APM and
Associates, Inc.**

There was presented Mayor and Council Communication No. C-19273 from the City Manager recommending that the City Council authorize the City Manager to execute an engineering services contract with APM and Associates, Inc. in the amount of \$77,732.00 for Water and Sanitary Sewer Replacement Contract 2002 STM-A. It was the consensus of the City Council that the recommendation be adopted.

**C-19274
Ord. #15273
TxDOT**

There was presented Mayor and Council Communication No. C-19274 from the City Manager recommending that the City Council:

1. Authorize the City Manager to execute a contract with the Texas Department of Transportation (TxDOT) to continue to operate the Comprehensive STEP (Selective Traffic Enforcement Program) on an overtime basis in the amount of \$235,960.00 (state \$160,500.00, City \$75,460.00); and
2. Authorize this contract to begin October 1, 2002, and expire September 30, 2003; and
3. Adopt Appropriation Ordinance No. 15273 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$235,960.00 subject to an award of contract from the Texas Department of Transportation (TxDOT), for the purpose of funding the Comprehensive Selective Traffic Enforcement Program (STEP); and
4. Authorize the transfer of \$75,460.00 from the Federal Awarded Assets Fund to the Grants Fund for the City's cash match; and
5. Authorize the City Manager to waive indirect costs in the amount of \$35,754.00, since indirect costs are not allowed by TxDOT.

Council Member Silcox stated that this ordinance was one more step to lowering speed limits and placing stop signs in needed areas within the City. He made a motion, seconded by Mayor Pro tempore McCloud, that Mayor and Council Communication No. C-19274 be adopted. The motion carried unanimously.

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- C-19275
SRO General
Contracting, Inc.** There was presented Mayor and Council Communication No. C-19275 from the City Manager recommending that the City Council authorize the City Manager to execute a contract with SRO General Contracting, Inc. in the amount of \$34,500.00 for the Harmon Park pedestrian bridge installation. It was the consensus of the City Council that the recommendation be adopted.
- C-19276
City of Mansfield** There was presented Mayor and Council Communication No. C-19276 from the City Manager recommending that the City Council authorize the City Manager to amend the Interlocal Cooperation Agreement for Detention Services with the City of Mansfield by \$27,650.00. Council Member Moss made a motion, seconded by Council Member Lane, that the recommendation be adopted. The motion carried unanimously.
- Public Hearing
3121
Honeysuckle
Avenue
Continued Until
November 26,
2002** The City Council, at its meeting of July 23, 2002, continued the public hearing for the Appeal of the Order of the Building Standards Commission regarding 3121 Honeysuckle Avenue. Mayor Barr asked if there was anyone present desiring to be heard.
- Mr. Carl Smart, Code Compliance Director, appeared before Council, gave a staff report regarding property located at 3121 Honeysuckle Avenue, and requested that the public hearing be continued until November 26, 2002.
- There being no one else present desiring to be heard in connection with the Appeal of the Order of the Building Standards Commission regarding 3121 Honeysuckle Avenue, Council Member Lane made a motion, seconded by Council Member Silcox, that the public hearing be continued until November 26, 2002. The motion carried unanimously.
- Public Hearing
1825 Carver
Avenue
Continued Until
October 29, 2002** The City Council, at its meeting of September 3, 2002, continued the public hearing for the Appeal of the Order of the Building Standards Commission regarding 1825 Carver Avenue. Mayor Barr asked if there was anyone present desiring to be heard.
- Mr. Carl Smart, Code Compliance Director, appeared before Council, gave a staff report regarding property located at 1825 Carver Avenue, and requested that the public hearing be continued until October 29, 2002.

There being no one else present desiring to be heard in connection with the Appeal of the Order of the Building Standards Commission regarding 1825 Carver Avenue, Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the public hearing be closed and that the public hearing be continued until October 29, 2002. The motion carried unanimously.

**Public Hearing
1808 Portland
Street
HS-02-43**

The City Council, at its meeting of September 3, 2002, continued the public hearing for the Appeal of the Order of the Building Standards Commission regarding 1808 Portland Street. Mayor Barr asked if there was anyone present desiring to be heard.

Mr. Carl Smart, Code Compliance Director, appeared before Council, gave a staff report regarding property located at 1808 Portland Street, and requested that Council uphold the decision of the Building Standards Commission to demolish the structure.

There being no one else present desiring to be heard in connection with the Appeal of the Order of the Building Standards Commission regarding 1808 Portland Street, Mayor Pro tempore McCloud made a motion, seconded by Council Member Silcox, that the public hearing be closed and that Council uphold the decision of the Building Standards Commission to demolish the structure. The motion carried unanimously.

**Public Hearing
Proposed
Limited Purpose
Annexation of
1,920 Acres
Located North &
East of Boat
Club Road &
South of Bonds
Ranch
AX-02-0008**

It appeared that the City Council set today as the date for the first public hearing for the proposed limited purpose annexation of 1,920 acres located north and east of Boat Club Road and south of Bonds Ranch, Tarrant County, Texas (Annexation Case No. AX-02-0008). Mayor Barr asked if there was anyone present desiring to be heard.

Ms. Cathy Davidson, representing the Development Department, appeared before Council, presented a staff report and advised Council that the second public hearing had been set for October 15, 2002, at the Tarrant County College/Northwest Campus, 4801 Marine Creek Parkway, Room B-118.

The following individuals appeared before Council in opposition of involuntary annexation:

**Charley Rains,
Tammy Maas,
Kathleen Wood,
Darlia Hobbs**

**Mr. Charley Rains
Ms. Tammy Maas
Ms. Kathleen Wood
Ms. Darlia Hobbs**

**8150 Eagle Mountain Circle
8109 Anchorage Pl. Apt #1D
9000 Block of Jacksboro Highway
8113 Anchorage Pl.**

There being no one else present desiring to be heard in connection with the first public hearing for the proposed limited purpose annexation of 1,920 acres located north and east of Boat Club Road and south of Bonds Ranch, Tarrant County, Texas (Annexation Case No. AX-02-0008), Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the first public hearing be closed and that the second public hearing be set for October 15, 2002. The motion carried unanimously.

Mayor Barr excused himself from the Council table at this time.

**Public Hearing
Proposed
Limited Purpose
Annexation of
13,065 Acres
Located West of
IH35 & North &
South of US
Highway 287
AX-02-0009**

It appeared that the City Council set today as the date for the first public hearing for the proposed limited purpose annexation of 13,065 acres located west of IH35 and north and south of US Highway 287, Tarrant County, Texas (Annexation Case No. AX-02-0009). Mayor Barr asked if there was anyone present desiring to be heard.

Ms. Cathy Davidson, representing the Development Department, appeared before Council, presented a staff report and advised Council that the second public hearing had been set for October 15, 2002, at the Tarrant County College/Northwest Campus, 4801 Marine Creek Parkway, Room B-118.

Council Member Silcox excused himself from the Council table at this time.

The following individuals appeared before Council in opposition of involuntary annexation:

**John Austin,
Mark Stewart,
Vivian Whisnant,
Norman
Rainwater,
Larry Plummer**

**Mr. John Austin
Mr. Mark Stewart
Ms. Vivian Whisnant
Mr. Norman Rainwater
Mr. Larry J. Plummer**

**512 Aviator Dr.
1613 Ann & Dossy Ct., Crowley, TX
13606 Yale Trail, Saginaw, TX
2325 Watertower Ct. West,
Saginaw, TX
2324 Watertower Ct. West.,
Saginaw, TX**

Council Member Silcox assumed his chair.

**Deborah Jackson
Ann Partington**

**Ms. Deborah Jackson
Ms. Ann H. Partington**

**3812 Harbour Creek Ct.
529 Aviator Dr.**

Mayor Barr assumed his chair.

**Darlia Hobbs,
Nancy Cullen,
Donald
Browning,
Jerry Bennett,
Meto Miteff**

**Ms. Darlia Hobbs
Ms. Nancy Cullen
Mr. Donald Browning
Mr. Jerry Bennett
Meto Miteff**

**8113 Anchorage Pl.
577 Aviator Dr.
451 Aviator Dr.
10948 Blue Sky Dr., Haslet, TX
1515 Hillcrest St.**

There being no one else present desiring to be heard in connection with the first public hearing for the proposed annexation of 13,065 acres located west of IH35 and north and south of US Highway 287, Tarrant County, Texas (Annexation Case No. AX-02-0009), Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the first public hearing be closed and that the second public hearing be set for October 15, 2002. The motion carried unanimously.

**Citizen
Presentations
Richard
Thompson,
Mark Stewart**

Mr. Richard P. Thompson, 7500 Maplewood Apt. 215, appeared before Council relative to inefficient response times by the Police Department.

Mr. Mark Stewart, 1613 Ann & Dossy Ct., Crowley, Texas, appeared before Council relative to the proposed tax abatement to Pier One.

Adjournment

There being no further business, the meeting was adjourned at 9:40 p.m.